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RCE
1654

Request
For
Continued Examination (RCE)
Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/937,687
Filing Date	January 8, 2002
First Named Inventor	O'Harte et al.
Art Unit	1654
Examiner Name	Jeffrey E. Russel
Attorney Docket Number	U0003/7002 (8830-8)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition for Extension of Time (one month)

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1721

- | | | |
|---|---------------------------------------|-----------|
| i. <input type="checkbox"/> RCE fee required under 37 C.F.R. 1.17(e) | 05/04/2004 AWONDAF1 00000092 09937687 | |
| ii. <input type="checkbox"/> Extension of time fee (37 C.F.R. 1.136 and 1.17) | 01 FC:2801 | 385.00 OP |
| iii. <input type="checkbox"/> Other _____ | 02 FC:2201 | 172.00 OP |
| b. <input checked="" type="checkbox"/> Check in the amount of \$ <u>964.00</u> enclosed | 03 FC:2202 | 207.00 OP |
| c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed) | 04 FC:2203 | 145.00 OP |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	Joyce C. Hersh	Registration No. (Attorney/Agent)	42,890
Signature	<i>Joyce C. Hersh</i>	Date	<i>April 30, 2004</i>

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print /Type)	Julie A. Bowen		
Signature	<i>Julie A. Bowen</i>	Date	<i>4.30.04</i>

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Appy. Docket No.: U0003/7002 (formerly 8830-8)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: O'Harte *et al.*
Serial No.: 09/937,687
Filed: January 8, 2002
Title: PEPTIDE

Examiner: Jeffrey E. Russel
Group Art Unit: 1654
Conf. No.: 5098

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

4/30/04
Date

Julie A. Bowen
Signature

Julie A. Bowen
Typed or Printed Name of Person Signing Certificate

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND REPLY

Sir:

This Amendment and Reply is being filed with a Request for Continued Examination in response to the Final Office Action mailed from the U.S. Patent and Trademark Office on January 8, 2004, in the above-identified application. Reconsideration is requested.

Amendments to the Claims are shown in the "Listing of the Claims" which begins on page 2 of this paper.

Remarks begin on page 6 of this paper.

Applicants respectfully request entry of the amendments and remarks.